



**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK**

**Lisa M. Thomas
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MARCH 10, 2014

Regular meeting of the City Council held on Monday, March 10, 2014 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Pope, Oram, Ossing, Robey, Delano, Page, Elder, Tunnera, Irish, Clancy, and Landers. Meeting adjourned at 8:22 PM.

ORDERED: That the minutes of the City Council meeting FEBRUARY 24, 2014, **FILE**; adopted.

ORDERED: That the **PUBLIC HEARING** On the Proposed Amendment to the Code of the City of Marlborough, Zoning, Sections 650-17 and 650-5, Medical Offices and Clinics allowed by right in the Business Zone, Order No. 14-1005693, all were heard who wish to be heard, hearing recessed at 8:07 PM; adopted.

Councilors Present: Pope, Oram, Ossing, Robey, Delano, Page, Elder, Tunnera, Irish, Clancy & Landers.

ORDERED: That the DPW transfer requests in the amount of \$63,000.00 which moves funds from Fringes to various accounts to fund costs associated with the retirement of a member of the Public Works Department, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:		DPW - Administration				FISCAL YEAR:		2014	
FROM ACCOUNT:						TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$283,339.04	\$63,600.00	11990006	51500	Fringes	\$22,500.00	14001001	50600	DPW Commissioner	\$37,550.22
	Reason:							Retirement	
					\$40,000.00	14001003	51920	Sick Leave Buy Back	\$595.07
	Reason:							Retirement	
					\$1,100.00	14001003	51430	Longevity	\$2.01
	Reason:							Retirement	
	\$63,600.00	Total			\$63,600.00	Total			

ORDERED: That the Comptroller’s Office transfer request in the amount of \$21,500.00 which moves funds from Fringes to Postage and Office Supplies to supplement accounts for FY14, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
DEPT:		Comptroller				FISCAL YEAR:				2014
		FROM ACCOUNT:				TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$283,339.04	\$20,000.00	11990006	51500	Fringes	\$20,000.00	11330006	53460	Postage	\$303.30	
	Reason:	Surplus in account				Additional funds for mailings				
\$283,339.04	\$1,500.00	11990006	51500	Fringes	\$1,500.00	11330005	54220	Office Supplies	\$512.78	
	Reason:	Surplus in account				Additional funds for supplies				
	\$21,500.00	Total			\$21,500.00	Total				

ORDERED: That the Assessor’s Office transfer request in the amount of \$7,000.00 which moves funds from Senior Clerk to Legal/Appeal/Tax to fund anticipated legal expenses associated with abatement filings and appraisals for the remainder of the fiscal year, refer to **FINANCE COMMITTEE**; adopted.

FROM:

Acct. # 11410002-50770 \$7,000.00
 Senior Clerk

TO:

Acct. # 11410006-53114 \$7,000.00
 Legal/Appeal/Tax

ORDERED: That the Building Department transfer request in the amount of \$700.00 which moves funds from In-State Travel to Board Secretary to cover the stipends for the Planning Board and Zoning Board of Appeals secretaries for the remainder of the fiscal year, **APPROVED**; adopted.

FROM:

Acct. # 12410006-57100 \$700.00
 Instate Travel

TO:

Acct. # 1241002-51050 \$700.00
 Board Secretary

Councilor Irish abstained

ORDERED: That the Resignation of Patricia Zilembo from the Youth Commission, **FILE**; adopted.

ORDERED: That the Communication from Attorney Douglas J. Rowe re: Notice of representation of VNG Company regarding permitting matters of a facility at 413 Lakeside Avenue, Order No. 13-1005581B, **FILE**; adopted.

ORDERED: That the Communication from Brian Lawlor of CSM Corporation re: Site Plan Review Application for a hotel within the Results Way Mixed Use Overlay District, refer to **URBAN AFFAIRS COMMITTEE AND SITE PLAN REVIEW COMMITTEE**; adopted.

ORDERED: That the Communication from Vanasse Hangen Brustlin, Inc. re: Notice of project change, EEA #13755 by Marlborough/Northborough Land Realty Trust, refer to **DEPARTMENT HEADS (SPECIFICALLY CONSERVATION) FOR REVIEW**; adopted.

ORDERED: That the Minutes, Board of Assessors, January 30, 2014, **FILE**; adopted.

ORDERED: That the Minutes, Community Development Authority, January 23, and February 27, 2014, **FILE**; adopted.

ORDERED: That the Minutes, Conservation Commission, January 9, and February 6, 2014, **FILE**; adopted.

ORDERED: That the Communication from Hanover Insurance Group, on behalf of Kathryn Webster, 31A Church St., refer to **LEGAL DEPARTMENT**; adopted.

ORDERED: That the following CLAIMS, refer to the **LEGAL DEPARTMENT**; adopted.

- A. Joydip Basu, 43 Briarwood Lane, pothole or other road defect
- B. Robert Clark, 594 Berlin Road, residential mailbox claim 2(a)
- C. Linda (Blood) Costello, 596 Elm Street, residential mailbox claim 2(a)
- D. Lorraine Galvin, 217 Miles Standish Drive, REVISED residential mailbox claim 2(b)
- E. Bonnie Hill, 150 Simpson Road, residential mailbox claim 2(b)
- F. Frank Miller, 370 Hemenway Street, #201, pothole or other road defect
- G. Anna Parente, 7 Cedar Street; Hudson, pothole or other road defect

Reports of Committees:

Councilor Ossing reported the following out of the Finance Committee:

Present: Chairman Ossing; Finance Committee members Councilors Robey, Oram, Elder, and Irish. Councilor Landers was also in attendance. The meeting convened at 7:00 PM.

Order No. 14-1005681 – Transfer \$63,559.06 from the Fringe Account to the Police and Public Works Department Retirements. The Finance Committee reviewed the Mayor's letter dated February 6, 2014 requesting three transfers from the Fringe account totaling \$63,559.06 to fund the sick leave buy back accounts for retirements in the Police Department (\$26,077.18), Water Division (\$18,740.88) and Streets Division (\$18,741.00). **The Finance Committee voted 5 – 0 to approve the three transfers.**

Order No. 14-1005682 – Transfer \$12,000.00 from the Fringe Account to Fund an Actuarial Study. The Finance Committee reviewed the Mayor's letter dated February 6, 2014 requesting the transfer of \$12,000.00 from the Fringe account to fund an actuarial study regarding the Other Post Employment Benefit (OPEB) obligations which is required every two years. **The Finance Committee voted 5 – 0 to approve the transfer.**

Order No.14-1005683 – Transfer \$10,000.00 from the Fringe Account to Conference and Training. The Finance Committee reviewed the Mayor's letter dated February 6, 2014 requesting the transfer of \$10,000.00 from the Fringe Account to fund the City's participation in the Supervisory and Leadership Development Program. **The Finance Committee voted 5 – 0 to approve the transfer.**

Reports of Committees cont'd:

Order No.14-1005684 – Transfer \$1,710.00 from the Part Time Nurse to Medical Supplies. The Finance Committee reviewed the Mayor's letter dated February 6, 2014 requesting the transfer of \$1,710.00 from the Part Time Nurse Account to the Medical Supply account to cover the higher than anticipated demand for flu vaccinations. **The Finance Committee voted 5 – 0 to approve the transfer.**

Order No. 14-1005701 – Transfer \$59,000.00 from Various DPW Account for Water Main Breaks. The Finance Committee reviewed the Mayor's letter dated February 20, 2014 requesting the transfer of \$59,000.00 from various DPW accounts to fund the increase in the number of water main break repairs. **The Finance Committee voted 5 – 0 to approve the transfers.**

Order No. 14-1005702 – Transfer \$30,000 from Various Fire Department Accounts to Fund a Review of Fire Department Policies. The Finance Committee reviewed the Mayor's letter dated February 20, 2014 requesting the transfer of \$30,000.00 from various Fire Department accounts to fund a review of Fire Department policies, procedures and overall operation. **The Finance Committee voted 5 – 0 to approve the transfers.**

NOTE: Order#14-1005686 requesting an increase in deficit spending in the snow and ice account (up to \$1,250,000 above approved budget) was referred to the Finance Committee on February 10, 2014. At the February 24, 2014 City Council meeting, the City Council voted to remove the order from the Finance Committee and denied the order. At the February 24, 2014 City Council meeting, the City Council approved agenda item #7 which increased the snow and ice deficit spending up to \$1,500,000 above approved budget.

The Finance Committee adjourned at 8:04 PM.

Councilor Tunnera reported the following out of the Personnel Committee:

Members Present: Chairman Tunnera; Committee Members Councilors Elder and Irish;
Councilors Pope, Landers
Meeting Convened: 7:04 PM

**Order No. 14-1005687 - That the Reappointments of the following to the Disabilities Commission be and is herewith refer to Personnel Committee:
Debra McManus for a term of two years, John Usinas for a term of three years, Richard Towle for a term of two years and Pat Winske for a term of three years.
Councilor Page has replaced Councilor Tunnera as City Councilor participant.**

Debra McManus has been on the Commission since its inception in 1990. She is currently the co-chair of the Commission. Richard Towle has been on the Commission for ten years and began as a representative from the City Council for the first four of those ten years. John Usinas was the first chair of the Commission and has been a member since 1990.

Reports of Committees cont'd:

Debra McManus explained the Board's duties – to ensure all new buildings in the City fulfill the AAB (Architectural Access Board) Architectural Laws for accessibility, ensure that existing buildings with new additions, such as the new Nissan building, have appropriate ramps and restrooms that meet the access laws. They ensure that parking lots and spaces meet the AAB laws. They help citizens in the community who are having access issues by advocating for them in various ways.

Motion made by Councilor Elder, seconded by the chair, to recommend the reappointment of Debra McManus, John Usinas and Richard Towle to the Disabilities Commission. Adopted 3-0 (Winske tabled in committee)

Order No. 14-1005692 - Communication from City Council President Pope reappointing Lisa Thomas as City Clerk for a three year term to expire on February 28, 2017.

Ms. Thomas's Office stated that she continues to automate records and now uploads them to DocuShare. Numerous records are available in DocuShare. This sharing of files eliminates the phone calls and researching when departments can perform their own searches. The City Clerk requested councilors' help with getting election Wardens and Clerks to work at the polls. Interested residents are invited to visit the City Clerk's office if they would like more information.

President Pope stated that Ms. Thomas has moved the City Clerk's Office forward with the times and that she is pleased that Ms. Thomas wants to continue with the City.

Motion made by Councilor Elder, seconded by the chair, to recommend approval of the reappointment of Lisa Thomas as City Clerk. Adopted 3-0.

Motion to adjourn by Councilor Elder – meeting adjourned at 7:35 PM.

Councilor Oram reported the following out of the Open Space Committee:

Present: Chairman Oram; Open Space Committee Members Councilors Elder and Delano; Also President Pope and Councilors Landers and Robey
Also Present: Conservation Officer Priscilla Ryder

Order No. 13/14-1005615 - Communication from Mayor Vigeant re: submittal for City Council Acceptance of the 2011 – 2018 Open Space and Recreation Plan for the City of Marlborough.

Reports of Committees cont'd:

REFER TO OPEN SPACE AND CARRY OVER TO 2014

Conservation Officer Ryder presented the committee a slide presentation and discussed the updated Open Space Plan in great detail.

Councilor Elder expressed concern to the use of the document as development guidance for the City.

Motion made by Councilor Delano, seconded by chair, to recommend approval of the Open Space and Recreation Plan as a guidance document for the City. Vote 2 -1 Elder opposed.

The meeting adjourned at 6:23 PM.

ORDERED: That the Appointment of Thomas Abel to the Library Board of Trustees for a three year term to expire on February 6, 2017 replacing Jean Peters whose term expires on February, 3 2014, and the Reappointments of Ray Hale for two years to expire on February 6, 2016, Raymond Johnson for three years to expire on February 6 2017. Robyn Ripley for 2 years to expire on Feb 1 2016 and Janice Merk for a one year term to expire on February 2, 2015, **APPROVED**; adopted.

ORDERED: That the Reappointment of Linda Clark to the Board of Registrar of Voters for a three year term to begin on April 1 2014, **APPROVED**; adopted.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 8:22 PM.